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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. PERRY).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
August 11, 2017.

I hereby appoint the Honorable SCOTT PERRY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

PRAYER

Reverend Alisa Lasater Willoo, Capitol Hill United Methodist Church, Washington, D.C., offered the following prayer:

God of power and peace, we pause before this pro forma session to remember all who form this great body called Congress.

We give You thanks today for each Member, their families and loved ones, for Member staffs, committee staffs, House officers and their staffs, all the support staff, security and custodial teams, interns, fellows, vendors, and contractors.

Lord, thank You, thank You for all who work tirelessly in this place.

Today, we also confess that despite our efforts, and sometimes even because of them, violence and division wreak havoc in us and our world. This week, we are especially aware, Lord, of the devastation humans have the power to unleash on one another.

God of Shalom, forgive us. Remind us that You give a far greater power: peace.

Give us today the courage to face our fears, self-honesty to recognize our role in any dispute, generosity to ensure others' needs are met, stamina and humble strength.

In other words, form us for the work of peace.
Amen and amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 3(a) of House Resolution 481, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Virginia (Mrs. COMSTOCK) come forward and lead the House in the Pledge of Allegiance.

Mrs. COMSTOCK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

VETERANS APPEALS IMPROVEMENT AND MODERNIZATION ACT OF 2017

Mrs. COMSTOCK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2288) to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes, with the Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Appeals Improvement and Modernization Act of 2017".

SEC. 2. REFORM OF RIGHTS AND PROCESSES RELATING TO APPEALS OF DECISIONS REGARDING CLAIMS FOR BENEFITS UNDER LAWS ADMINISTERED BY SECRETARY OF VETERANS AFFAIRS.

(a) DEFINITIONS.—Section 101 of title 38, United States Code, is amended by adding at the end the following new paragraphs:

“(34) The term ‘agency of original jurisdiction’ means the activity which entered the original determination with regard to a claim for benefits under laws administered by the Secretary.

“(35) The term ‘relevant evidence’ means evidence that tends to prove or disprove a matter in issue.

“(36) The term ‘supplemental claim’ means a claim for benefits under laws administered by the Secretary filed by a claimant who had previously filed a claim for the same or similar benefits on the same or similar basis.”.

(b) NOTICE REGARDING CLAIMS.—Section 5103(a) of such title is amended—

(1) in paragraph (1), in the first sentence, by striking “The” and inserting “Except as provided in paragraph (3), the”;

(2) in paragraph (2)(B)(i) by striking “, a claim for reopening a prior decision on a claim, or a claim for an increase in benefits;” and inserting “or a supplemental claim;”;

(3) by adding at the end the following new paragraph:

“(3) The requirement to provide notice under paragraph (1) shall not apply with respect to a supplemental claim that is filed within the timeframe set forth in subparagraphs (B) and (D) of section 5110(a)(2) of this title.”.

(c) MODIFICATION OF RULE REGARDING DISALLOWED CLAIMS.—Section 5103A(f) of such title is amended—

(1) by striking “reopen” and inserting “re-adjudicate”; and

(2) by striking “material” and inserting “relevant”.

(d) MODIFICATION OF DUTY TO ASSIST CLAIMANTS.—Section 5103A of such title is amended—

(1) by redesignating subsections (e) through (g) as subsections (g) through (i), respectively; and

(2) by inserting after subsection (d) the following new subsections:

“(e) APPLICABILITY OF DUTY TO ASSIST.—(1) The Secretary's duty to assist under this section shall apply only to a claim, or supplemental claim, for a benefit under a law administered by the Secretary until the time that a claimant is provided notice of the agency of original jurisdiction's decision with respect to such claim, or

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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